

## SEQUIM PLANNING COMMISSION

**Special Meeting**  
**Transit Center**  
**190 West Cedar Street**  
**Sequim, WA 98382**

**Monday, August 26, 2013**  
**6:00 P.M.**

### **I. CALL TO ORDER, PLEDGE OF ALLEGIANCE & ROLL CALL:**

Present: Protze, Sterhan, Thompson and Wendt. Excused: Connelly, Peterson, and Sanford.  
Peterson arrived at 7:30 pm.

Staff Present: DCD Director Chris Hugo; Deputy City Clerk Bobbie Usselman; City Engineer David Garlington.

Wendt stated we will add Item V.B re design review board to the agenda per Hugo's request.

### **II. APPROVAL OF MINUTES: July 2, 2013**

**MOTION** to approve the minutes of July 2, 2013 by Thompson; second by Protze.  
**Unanimously approved.**

### **III. ITEMS FROM THE PUBLIC NOT ALREADY ON THE AGENDA None**

### **IV. NEW BUSINESS:**

#### **A. Proposed 2013 Transportation Impact Fees**

City Engineer David Garlington stated we previously gave a presentation regarding the Transportation Master Plan which has now been adopted by Council. We are now reviewing transportation impact fees on new development. Impact fees are one-time payments by new development for capital costs of facilities needed by new development. The last transportation impact fees were adopted in 2010. Over 50 cities in Washington have an impact fee system. We are suggesting changes that will keep us in the middle of the pack of fees charged in Washington. The benefits of the fees ensures growth pays its share of infrastructure needs and is the source of 40% of the City's overall funding program for the next 20 years.

The transportation impact fees and TBD funds allow us to keep our streets in good repair. Impact fee revenues are tied to development growth. High growth rates provide funds to accelerate projects and lower growth rates reduce funding available but also lessens short term needs for projects. The impact fee revenues must be spent within 10 years of receipt.

Garlington gave a summary of how the transportation impact fee program has evolved over the years. He also explained the current impact fee program to the program update.

We are proposing the downtown land uses which are the downtown core, downtown mixed-use I and downtown mixed-use II.

Protze feels we need to welcome businesses and to charge an extra fee is a negative impact. He is a small business owner and the fees will not allow him to expand his business. Garlington explained the difference between the impact fees and other fees businesses pay. Protze suggested putting a cap on fees for businesses making under a certain amount, such as \$300,000. He feels the downtown core is getting preferential treatment compared to a business like his outside the downtown core. Garlington said if Protze were to put in another unit it would be reviewed separately from a hotel/motel. Independent traffic studies can be done to help change the impact fee for a particular business.

Thompson asked what would happen if growth and development doesn't meet the budget. Garlington said if growth was less than expected, some projects would not occur as timely.

In response to questions, Garlington said fees are a one-time fee based on the need for traffic infrastructure. The fees are determined based on traffic engineer studies that are done nationwide. Garlington explained impact fee credits that could be available to developers. Refunds of fees could occur if the project didn't go forward. There was general discussion concerning refunds of fees.

On the specialty retail center it looks like the rate is being raised; Garlington believes that may be an error and will check it.

There was discussion concerning peak traffic times related to impact fees.

Park impact fees are not included in this ordinance.

Hugo said there is nothing in the code to allow the Planning Commission to have responsibility to recommend impact fees. Council is interested in your opinion so this has been brought to you for review.

Public Comment:

Don Hall commented on Protze's comments about reducing fees for smaller businesses. He would like those suggestions put in writing to go to Council for review. It would encourage small businesses to open in downtown.

**MOTION:** I move we recommend that the City Council approve Ordinance 2013-014 adopting the Transportation Impact Fee Program study and the amended fee schedule therein by Thompson. **Motion dies** for lack of second.

Sterhan feels there are exceptions given to some and not others re impact fees. He is not sure why he is here to vote on this.

**MOTION:** I move we recommend that the City Council approve Ordinance 2013-014 adopting the Transportation Impact Fee Program study and the amended fee schedule but encourage small business by exempting them of impact fees with a threshold of \$300,000 income by Protze; **Motion dies** for lack of second.

Hugo said Planning Commission can defer taking action on this matter. It will go to Council on September 9 and again on 23. It was the consensus to defer action to meeting of September 17.

Dennis Smith is a member of City Council. This item was presented as first touch at the last Council meeting. Touch 2 will be September 9 with a public hearing; on September 23 Council will vote. If Planning Commission meets on September 17, your discussion/motion will be included in Council's deliberation.

## **V. OLD BUSINESS**

### **A. Mobile Food Truck regulations: staff discussion with Downtown Merchants (8/21)**

Hugo said recently a comment was made about the mobile food truck being located downtown during an event but the code indicates it cannot be between 5<sup>th</sup> and Brown. He said we could change the rule but not just because downtown businesses want the truck there. He spoke with the merchants group about the basis for the prohibition in the downtown zone. The reason was for the fragile nature of the downtown restaurants that pay general facility charges and possibly transportation impact fees. We could change the code to allow the food truck at special events (such as Friday Art Walk or Moonlight Madness). The merchants group supports this concept. He would suggest sending direct notice to downtown restaurants to comment on this.

Protze asked about the food trucks at the weekend farmers market. Hugo feels it is within the permitting process.

Thompson supports the idea of the food trucks being at special events.

Planning Commission is open to the idea of getting input from merchants for occasional food truck usage in the downtown core during special events.

### **B. Design Review Board**

Hugo said at the last meeting there was discussion regarding the design review board with a motion to have a board with members from Planning Commission and Council. Hugo said there are some applications that are quasi-judicial matters for Council. That would mean the people on the board would not be able to participate in the process at Planning Commission and Council levels.

An alternative to the committee process could be a staff review. The committee is an advisory review to staff. If it were a quasi-judicial action, the committee would not convene because they would have to recuse themselves from decision-making process. The vast majority of reviews

the board would be able to review the design since staff makes the decision. When the city attorney returns he will discuss it with him.

## **VI. ITEMS FROM COMMISSIONERS/COMMITTEE REPORTS**

### **VII. DIRECTOR'S REPORT**

#### **A. Update on resumption of Sequim 120 program.**

Hugo said we will be hiring a local planning person to draft the revised comp plan. It is hoped to be able to have it completed by the end of next summer. Planning Commission's role would be the same whether a consultant does the work or staff does the work.

#### **B. Imminent proposed zoning code text revisions.**

Hugo said he is looking at additional code revisions including non-conforming signs; and licensing for recreational marijuana dispensaries.

Terry Peterson arrived at 7:27 pm.

Other revisions proposed are zoning classifications for public facilities including schools and neighborhood parks allowed in R zones by major conditional use permit; changes to the nuisance code that requires a written complaint to take action to cause cleanup of property; International Property Maintenance code with penalties going to a hearing examiner; and off-premise signage.

Brief discussions occurred on the proposed revisions.

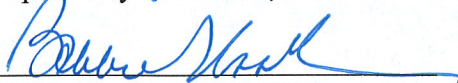
## **VIII. GOOD OF THE ORDER**

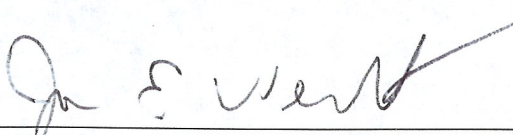
## **IX. ADJOURNMENT**

**MOTION** to adjourn by Sterhan; second by Thompson. **Unanimous.**

Meeting adjourned at 7:47 p.m.

Respectfully submitted,

  
Bobbie Usselman, MMC  
Deputy City Clerk

  
Jon Wendt  
Chair

Next meeting: Regular Meeting, Tuesday, September 17, 2013